

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
JULY 27, 2004
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Robert A. Cushing, Jr., John F. Cook, Daniel S. Power, Vivian Rojas and Anthony W. Cobos. Absent: None. Late arrivals: Susan Austin in at 9:08 a.m., Jose Alexandro Lozano in at 9:09 a.m., and Paul J. Escobar in at 9:17 a.m. Meeting was called to order at 9:05 a.m. and the invocation was given by Pastor Billy R. Williams, followed by the Pledge of Allegiance to the Flag of the United States of America.

Mayor Joe Wardy and Representative Cook presented Honorary Citizen Certificates to international students attending a six-month course at Fort Bliss.

Motion made by Representative Austin, seconded by Representative Power and unanimously carried to delete the following item: Lead. [Lisa Turner]

Representative Escobar not present for the vote.

No action was taken on the discussion and action on the so-called "Weed Ordinance" and other aspects of Building Services Code Enforcement. [Matthew F. Carroll]

Mr. Matthew F. Carroll, citizen, requested that the "Weed Ordinance", initiated by the first woman Mayor of El Paso, Susie Azar, be reviewed by the City Attorney's office to remove any ambiguities. He requested that inspectors work evening and weekend surveillance and that a "hotline" be initiated for citizens to alert the City when violations have occurred. He complimented Mr. Bill Stern, Building Inspector, for his assistance regarding a sidewalk issue that he had been working on for 10 years.

Motion made by Representative Cobos, seconded by Representative Cook, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

Representatives Cushing and Cook were not present for the vote.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the Minutes for Special City Council Meetings (Budget Hearings) of July 15, July 16, (two sets - 9:00 a.m. and 2:00 p.m. sessions) and July 19, 2004.

Representatives Cushing and Cook were not present for the vote.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week the Minutes for Regular City Council Meeting of July 20, 2004 and Special City Council Meeting (Budget Hearings) of July 12, 2004.

Representatives Cushing and Cook were not present for the vote.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Supplemental Agreement No. 1 to Lease No. DTFA07-95-L-01077 by and between the City of El Paso ("Lessor") and the United States of America, represented by the Federal Aviation Administration ("Lessee") for the real property known as 8045 Boeing to extend the term of the Lease through September 30, 2005.

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***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 4th day of November, 2003, after due notice and hearing, ordered ELAINE B. NAGLEY, FREDRICK A. HARRIS, C/O ANN H. HARRIS, record Owner of the hereinafter described property that the Buildings be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Buildings and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Buildings and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for Building Permitting and Inspections Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Buildings and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 30, Block 6, Deer Valley Unit One, an Addition to the City of El Paso, El Paso County, Texas according to the map thereof on File in Book 55, Page 31, Plat Records of El Paso County, Texas, municipally known and numbered as 10205 Whitetail Drive,

to be \$5,502.80, performed by the Street Department of the City of El Paso, \$1,509.75 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report making a total of \$7,012.55. The City Council finds that the work was completed on the 10th day of December, 2003, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of SEVEN THOUSAND TWELVE and 55/XX DOLLARS (\$7,012.55) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 12th day of August, 2003, after due notice and hearing, ordered ERNEST S. HUEY, record Owner of the hereinafter described property that the Buildings be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Buildings and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Buildings and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for Building Permitting and Inspections Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of demolishing the Buildings and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

The Westerly 39.15 Feet of Lot 22 and the Easterly 33 Feet of Lot 23, Block 15, Tobin Park Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof, recorded in Volume 17, Page 7, Plat Records of El Paso County, Texas, municipally known and numbered as 5025 Joe Herrera Drive,

to be \$20,604.80, performed by the Street Department of the City of El Paso, \$1,374.95 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report making a total of \$21,979.75. The City Council finds that the work was completed on the 24th day of September, 2003, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of TWENTY-ONE THOUSAND NINE HUNDRED SEVENTY-NINE and 75/XX DOLLARS (\$21,979.75) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 4th day of November, 2003, after due notice and hearing, ordered GUADALUPE V. GOMEZ, record Owner of the hereinafter described property that the Buildings be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Buildings and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to secure the Buildings and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for Building Permitting and Inspections Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing the Buildings and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 2, Block 3, Tigua Place, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 8, Page 49, Plat Records of El Paso County, Texas, municipally known and numbered as 8102 Tigua Circle,

to be \$1,427.38, performed by the Street Department of the City of El Paso, \$1,460.75 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report making a total of \$2,888.13. The City Council finds that the work was completed on the 7th day of January, 2004, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of TWO THOUSAND EIGHT HUNDRED EIGHTY-EIGHT and 13/XX DOLLARS (\$2,888.13) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to apply to the National Endowment for the Arts for a \$20,000 grant to fund a portion of the salaries of the Education Outreach Coordinator and instructors in that program and that the Mayor be authorized to sign any required contracts and related documents accepting a grant for such amount or for any lesser amount approved by the National Endowment for the Arts.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to apply to the MetLife Foundation for the Arts for a \$14,325 grant to fund a portion of the salaries of the Education Outreach Coordinator and instructors in that program, together with the cost of supplies, and that the Mayor be authorized to sign any required contracts and related documents accepting a grant for such amount or for any lesser amount approved by the MetLife Foundation.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to sign an Incoming Loan Agreement for the exhibition **"Home House Project,"** April 24, 2005 – August 14, 2005, organized by the Southeastern Center for Contemporary Art, Winston-Salem, North Carolina. Exhibition fee is \$10,000.00 with shipping fees not to exceed \$3,000.00.

Representative Lozano asked questions of Mr. Christian Gerstheimer, Assistant Curator, relative to the exhibition and shipping fees.

Mr. Gerstheimer explained that loaning pieces of art between museums was reciprocal and added that the **"Home House Project"** exhibit contained over 100 pieces of art. He further explained that the content of the exhibit was affordable housing designs submitted by architects.

NOTE: Resolutions for exhibits "Home House Project" and "Saint Elmo's Fire" were considered together.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Museum of Art be authorized to sign an outgoing loan agreement, on behalf of the City of El Paso, for the loan of *"Saint Elmo's Fire,"* by Kermit Oliver to The Museum of Fine Arts, Houston, for the exhibition "Notes from a Child's Odyssey: The Art of Kermit Oliver," from March 6, 2005, to July 4, 2005. There are no costs to El Paso Museum of Art associated with this loan.

Please see above item for discussion.

NOTE: Resolutions for exhibits "Home House Project" and "Saint Elmo's Fire" were considered together.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JULIE FONSECA DE BORGES**, to assist the Museum of Art as a School Services Coordinator at a biweekly rate of \$1,084.13 for 40 hours per week. The term of the contract shall be for the period of August 5, 2004 through August 4, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **ARMANDO DURAN**, to assist the El Paso Water Utilities as a Chemist, at \$9.87 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator, in which case student may work up to 40 hours per week. The term of the contract shall be for the period of July 28, 2004 through July 25, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **PARKHILL, SMITH & COOPER, INC.**, for a project known as **"Clint Landfill Phase I – Cells 3, 4, 5 and 6"**, in an amount not to exceed **FOUR HUNDRED FIFTY SEVEN THOUSAND EIGHT HUNDRED FOURTEEN and 00/100 DOLLARS (\$457,814.00)**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Fourth Amendment to the Facility Management and Tourism Agreement by and between the City of El Paso and SMG, a Pennsylvania general partnership, to manage the Plaza Theatre in accordance with this agreement.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council accept and the Mayor be authorized to sign the award, and any subsequent documents, of the Texas Engineering Extension Service (TEEX) award number 2004 LETPP-24000 in the amount of \$104,003.00. This is a U.S. Department of Homeland Security, Office of Domestic Preparedness Program for procurement and management of equipment, planning, training and exercises related to terrorism preparedness and response to be distributed to the El Paso Police Department. Additionally, the City Council authorizes the Staff of Office of Management and Budget to prepare any budget changes necessary to facilitate this award. There are no required matching funds for this grant.

Representative Lozano requested elaboration on this and the following agenda item.

Emergency Management Coordinator, District Chief Ray Apodaca, provided explanation and added that the funds were made available to help prepare Police and Fire Departments to respond to acts of terror.

Motion made by Representative Lozano, seconded by Representative Cushing and unanimously carried to approve the above Resolution.

NOTE: Resolutions for TEEX awards were considered together.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council accept and the Mayor be authorized to sign the award, and any subsequent documents, pertaining to the Texas Engineering Extension Service (TEEX) award number 2004 SHSP-24000 in the amount of \$450,862.00. This is a U.S. Department of Homeland Security, Office of Domestic Preparedness program for procurement and management of equipment, planning, training and exercises related to terrorism preparedness and response, and the regional award from the Council of Government for \$50,000.00, for a total grant amount of \$500,862.00, to be distributed to the El Paso Fire Department, the El Paso Police Department and the El Paso Municipal Services, as stated therein. Additionally, the City Council authorizes the Staff of Office of Management and Budget to prepare any budget changes necessary to facilitate this award. There are no required matching funds for this grant.

See previous resolution for discussion.

Motion made by Representative Lozano, seconded by Representative Cushing and unanimously carried to approve the above Resolution.

NOTE: Resolutions for TEEX awards were considered together.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **PATRICIA BORREGO**, to assist the Mayor and City Council as a District Research Assistant at an hourly rate of \$15.95 for 20 hours per week. The term of the contract shall be for the period of July 30 2004 through June 14, 2005.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **BLANCA M. GONZALEZ**, to assist the Mayor and City Council as an Executive Staff Assistant at an hourly rate of \$16.83 for 40 hours per week. The term of the contract shall be for the period of July 31, 2004 through December 30, 2004.

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*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone two (2) weeks a Resolution that the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **SUSANA C. SALAS**, to assist the Mayor and City Council as a Secretary I at an hourly rate of \$9.97 for 40 hours per week. The term of the contract shall be for the period of July 28, 2004 through June 14, 2005. [Mayor & Council, Jim Martinez, (915) 541-4015]

Representatives Cushing and Cook were not present for the vote.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **YVONNE SANCHEZ**, to assist the Mayor and City Council as a Staff Assistant at a biweekly rate of \$1,076.42 for 40 hours per week. The term of the contract shall be for the period of July 31, 2004 through October 31, 2004.

NOTE: Contract period was revised from "July 31, 2004 through June 14, 2005" to "July 31, 2004 through **October 31, 2004**".

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*RESOLUTION

A RESOLUTION AUTHORIZING THE PURCHASING DEPARTMENT TO ADVERTISE TO THE PUBLIC FOR SALE PROPERTY LEGALLY DESCRIBED AS A PORTION OF LOTS 1, 2, AND 3, BLOCK 2, KESSLER INDUSTRIAL DISTRICT UNIT 1, EL PASO, EL PASO COUNTY, TEXAS, AND AUTHORIZING THE PURCHASING DEPARTMENT TO OBTAIN AN INDEPENDENT APPRAISAL AS REQUIRED BY STATE LAW TO ESTABLISH THE VALUE.

WHEREAS, the City has received an inquiry requesting that the City sell property described as a Portions of Lots 1, 2, and 3 Block 2 Kessler Industrial District Unit 1, El Paso, El Paso County, Texas; and,

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Community Partner Memorandum of Agreement by and between the **CITY OF EL PASO** and the **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)** for mutual cooperation in the production of an updated, digital flood map for the City of El Paso.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **VIRGINIA MATA MARTINEZ**, to assist the Parks and Recreation Department as an Instructor, at an hourly rate of \$7.70, for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JUANITA RAMIREZ**, to assist the Parks and Recreation Department as an Instructor, at an hourly rate of \$7.70 for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **CAROLYN J. TROMER**, to assist the Parks and Recreation Department as a Director/Administrator of Instructors in Day Care at an hourly rate of \$9.25 for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ABRAHAM BARRAGAN**, to assist the Parks and Recreation Department as an Indoor Pool Manager, at an hourly rate of \$7.75 for 40 hours per week. The term of the contract shall be for the period of July 28, 2004 through August 31, 2004.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **CLAUDIA GARCIA**, to assist the Parks and Recreation Department as an Instructor, at an hourly rate of \$7.70, for 40 hours per week. The term of the contract shall be for the period of September 1, 2004 through August 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contract on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for this contract is in fiscal year **2003/2004** appropriations to be approved by the City Council.

LEONA FORD WASHINGTON COMMUNITY CENTER
DEPARTMENT ID: 51510081, ACCOUNT 502214

1. CONTRACTOR: Anita Martell
DATES: July 28, 2004 through August 31, 2004
RATE PER CL: \$8.50
MAXIMUM AMT: \$170.00
CONTRACT: **2003/2004-169**

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2004/2005** appropriations to be approved by the City Council.

EASTSIDE SENIOR CENTER
DEPARTMENT ID: 51510404, ACCOUNT: 502214

1. CONTRACTOR: Homer Gorton, Aerobics Instructor
DATES: September 01, 2004 through August 31, 2005
RATE PER CL: \$12.80
MAXIMUM AMT: \$1972.00
CONTRACT: **2004/2005-001**
2. CONTRACTOR: Cissie Harshbarger, Rhythm Exercise Instructor
DATES: September 01, 2004 through August 31, 2005
RATE PER CL: \$12.80
MAXIMUM AMT: \$1972.00
CONTRACT: **2004/2005-002**
3. CONTRACTOR: Raul Hernandez, Country Western Dance Instructor
DATES: September 01, 2004 through August 31, 2005
RATE PER CL: \$20.00
MAXIMUM AMT: \$1060.00
CONTRACT: **2004/2005-003**
4. CONTRACTOR: Martha Medina, Aerobics Instructor
DATES: September 01, 2004 through August 31, 2005
RATE PER CL: \$10.00
MAXIMUM AMT: \$1540.00
CONTRACT: **2004/2005-004**

MEMORIAL SENIOR CENTER

DEPARTMENT ID: 51510164, ACCOUNT: 502215

5. CONTRACTOR: El Paso Mineral & Gem Society, Lapidary & Jewel Classes
DATES: September 01, 2004 through August 31, 2005
RATE PER CL: \$11.00
MAXIMUM AMT: \$1,265.00
CONTRACT: **2004/2005-005**
6. CONTRACTOR: Javier Garcia, Painting Instructor
DATES: September 02, 2004 through August 25, 2005
RATE PER CL: \$18.00
MAXIMUM AMT: \$1872.00
CONTRACT: **2004/2005-006**

NORTHEAST RECREATION CENTER

DEPARTMENT ID: 51510107, ACCOUNT: 502214

7. CONTRACTOR: Richard Brown, Karate Instructor
DATES: September 01, 2004 through August 31, 2005
RATE PER CL: \$20.00
MAXIMUM AMT: \$2500.00
CONTRACT: **2004/2005-007**
8. CONTRACTOR: Mandy R. Johnson, Time/Score Keeper
DATES: September 01, 2004 through August 31, 2005
RATE PER CL: \$6.35
MAXIMUM AMT: \$381.00
CONTRACT: **2004/2005-008**
9. CONTRACTOR: Leonardo G. Marquez, Time/Score Keeper
DATES: September 01, 2004 through August 31, 2004
RATE PER CL: \$6.85
MAXIMUM AMT: \$3,151.00
CONTRACT: **2004/2005-009**

WELLINGTON CHEW SENIOR CENTER

DEPARTMENT ID: 51510214, ACCOUNT 502214

10. CONTRACTOR: Amelia F. McCammon, Ceramics Instructor
DATES: September 07, 2004 through August 31, 2005
RATE PER CL: \$18.50
MAXIMUM AMT: \$1110.00
CONTRACT: **2004/2005-010**

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Architectural Services by and between the **CITY OF EL PASO** and **MIJARES-MORA ARCHITECTS, INC.**, for a project known as "**Veteran's Park**", in an amount not to exceed ONE HUNDRED EIGHTY-THREE THOUSAND FOUR HUNDRED EIGHTY-EIGHT and 90/100 DOLLARS (\$183,488.90) for completion of design and construction-related services. This is a 2000 Quality of Life Bond Project.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Chief of Police be authorized to accept a grant, and the Mayor be authorized to sign any related paperwork, from the City of El Paso Police Department to the U.S. Department of Justice, Bulletproof Vest Partnership Program, for funding in the amount of \$9,809.15 toward the acquisition of 52 bulletproof vests for the Police Department; City funding for the purchase also required in the amount of \$9,809.15.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign release of liens on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
9100 Block Leonor	\$266.30	\$173.44	\$439.74
9100 Block Leonor	\$283.07	\$273.11	\$556.18
9100 Block Leonor	\$287.40	\$ 3.20	\$290.60

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign release of liens on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
8661 La Gente Street	\$159.51	\$163.51	\$323.02
8661 La Gente Street	\$127.74	\$ 57.34	\$185.08
8661 La Gente Street	\$220.83	\$147.36	\$368.19

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the grant applications and related documents for certified grants from The Rio Grande Council of Governments in the amounts of \$8,000.00, \$65,000.00 and \$45,350.00, for replacing the lids of various 6 cubic yard containers used at recycling sites; the purchase of a container carrier to deliver 4 and 6 cubic yard containers to new customers; and to purchase a wood chipper for use at the Citizen Collection Sites and landfills to produce mulch. The In-Kind Services required for these grants are in the amounts of \$1,211.00, \$13,473.00, and \$6,884.80, respectively.

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***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

**Tract 1: Tract 2-A-4, (.553 acre), Leigh Clark Survey #293, El Paso County, Texas.
(PID #X293-000-L00B-0040)**

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***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Tract 1: .8390 acre, out of Tract 2-B-1, now known as Tract 2-B-3, and .0814 acre, being a portion out of Tract 2-B-1, now known as Tract 2-B-1-C, Block 35, Ysleta Grant, an Addition to the City of El Paso, being more particularly described in Volume 1256, Page 1849 and Volume 1497, Page 861, Deed Record, El Paso County, Texas. (PID #Y805-999-035B-0218)

Tract 2: .839 acre, out of Tract 2-B-2, Block 35, Ysleta Grant, an Addition to the City of El Paso, being part of 1.676 acre tract out of Tract 2-B, said 1.676 acres being described as the fifth tract in Volume 1076, Page 233, Deed Records, El Paso County, Texas. (PID #Y805-999-035B-0201)

.....
***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

**Tract 1: Tract 5-A-15, (5 acres), Block 11, Lower Valley, El Paso County, Texas.
(PID #L891-000-11E-1315)**

**Tract 2: Part of the Northeast ¼ of Lot 78, Township 4, Section 29, T & P Abstract
2092, El Paso County, Texas. (PID #X578-000-4290-0000)**

.....
***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Tract 94, Sunrise Acres #2, an Addition to the City of El Paso, being more particularly described in Volume 1356, Page 22, Deed Records of El Paso County, Texas. (PID #S917-999-002D-2500)

.....
***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Part of Lots 19 and 20, Block 12, Sunset Heights Addition, an Addition to the City of El Paso, being more particularly described in Volume 1239, 219, Deed Records of El Paso County, Texas El Paso County; SAVE & EXCEPT a 1,994 square foot Tract out of said Lots 19 and 20, being more particularly described in Volume 43, Page 1651, Deed Records of El Paso County, Texas. (PID #S979-999-0120-2800)

***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

The West 65 feet of Tract 1, Chick-A-Dee Acres, City of El Paso, being more particularly described in Volume 1038, Page 1609, Deed Record, El Paso County, Texas. (PID #C398-999-0010-0100)

.....
***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

1.531 acres, more or less, out of Tract 2, n/k/a Tract 2-A, Block 15, Ysleta Grant, being more particularly described by metes and bounds in Volume 3202, Page 67, Deed Records, El Paso County, Texas. (PID #Y805-999-015D-0201)

.....
***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

Lots 1 through 6, Block 74-B, Logan Heights Addition, an Addition to the City of El Paso, being more particularly described in Volume 2380, Page 389, Deed Records of El Paso County, Texas. (PID #L447-999-074B-0100)

.....
***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

NOW, THEREFORE, BE IT RESOLVED

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

The South 70 Feet of Lot 10 & The South 70 Feet of the East 17 Feet of Lot 9, Block 33, Franklin Addition, An Addition to the City of El Paso, being more particularly described in Volume 181, Page 76, Deed Records of El Paso County, Texas. (PID #F607-999-0330-4900)

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Vista Real Unit Four, Phase II
Owner/Developer: Ranchos Real III, LTD.
Consultant: Conde Engineering

Street Improvements:

Turner Road - From the northwest subdivision boundary line to the southeast subdivision boundary line

Drainage Improvements:

Surface Drainage

Representatives Cushing and Cook were not present for the vote.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the appointment of Richard D. Wiles as Police Chief, effective July 27, 2004.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve that Richard D. Wiles be appointed Police Chief, effective July 27, 2004 at an annual salary of \$122,065.

Police Chief Richard D. Wiles thanked the Council for their support over the last 10 months. He stated that that he was a strong believer in community support and with the support of the community and dedicated Police Department employees, he would bring El Paso to be the number one safest City of our size.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to appoint Rita Licano to the Retired Senior Volunteer Program Advisory Council by Representative Vivian Rojas, District 7.

Representatives Cushing and Cook were not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried that the following tax refunds be approved:

- A. Big 8 Foods LTD in the amount of \$3,633.78 overpayment of 2003 taxes.
(PID #0821-999-4038-0042)
- B. Land America c/o Irwin Mortgage in the amount of \$10,396.82, overpayment of 2003 taxes.
(PID #L790-000-0020-0100)
- C. Washington Mutual in the amount of \$5,011.64 overpayment of 2003 taxes.
(PID #R246-999-0150-3600)
- D. First American Real Estate Tax/Homecomings Financial in the amount of \$4,741.97 overpayment of 2003 taxes. (PID #V897-999-0890-2100)

Representatives Cushing and Cook were not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request to allocate the use of District 2 discretionary funds in the amount of \$1,000.00 to assist the Parks and Recreation Department - Neighborhood Youth Outreach Program with the End of the Summer Party at Grandview Pool for the Friendly Youth Outreach and Sacramento Youth Outreach Programs.

Representatives Cushing and Cook were not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request to disburse \$1,000.00 from the District 2 Discretionary Funds for the Keep El Paso Beautiful Community Tool Sheds program.

Representatives Cushing and Cook were not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request to disburse \$500.00 from District 3 Discretionary Funds for the Keep El Paso Beautiful Community Tool Sheds program.

Representatives Cushing and Cook were not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete Bid No. 2004-205R Performance Auditing Services for Delinquent Tax Collection Service Contract.

Award to:	Marcus, Fairall, Bristol & Co.
	El Paso, TX
Item (s):	All
Amount:	\$35,000.00
Department:	Office of Management & Budget
Funds available:	99011273-01101-505413 Operating Funds-Special Items
Funding source:	Office of Management & Budget
Total award:	\$35,000.00

The Review Committee for the Award of Performance Auditing Services For Delinquent Tax Collection has met and reviewed the responsive Proposals that were received. It is the recommendation of the committee to award the RFP to this firm. The proposal response addressed the scope and intent of the RFP.

Additionally, random companies were selected from the list that had expressed interest in the RFP to determine why they did not submit responses. Most companies declined to submit a proposal.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to execute any related contract documents and agreements necessary during the contract.

Representatives Cushing and Cook were not present for the vote.

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, explained that the item would not be rebid; however, City staff would be asking the two responders for their "best and final" amounts.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to award Bid No. 2004-203 Vehicle Decals

Award to:	Be! Graphics El Paso, Texas
Item (s):	Part A, Item #1 & #1A, Part B
Amount:	\$25,000.00 (estimated annually)
Department:	Fleet Service
Funds available:	37370510-503121-503125-45202
Funding source:	Fleet Service Internal Service Fund
Total award:	\$75,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

Representatives Cushing and Cook were not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to award Bid No. 2004-206 Hale Proprietary Parts

Award to:	Fire Pump Specialty Elm Mott, Texas
Item (s):	#1
Amount:	\$20,000.00 (estimated annually)
Department:	Fire Department
Funds available:	220010320-503118-01101
Funding source:	Fire Department Operating Funds - Vehicle Maintenance Supplies
Total award:	\$60,000.00 (estimated)

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

Representatives Cushing and Cook were not present for the vote.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to award Bid No. 2004-208 Pak Mor Proprietary Parts

Award to: Reliance Truck and Equipment, LTD
San Antonio, Texas
Item (s): Part A, Item #1
Amount: \$35,000.00 (estimated annually)
Department: Fleet Service
Funds available: 37370510-503121-45202
Funding source: Fleet Service Internal Service Fund
Total award: \$105,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to Sole responsive offer meeting specifications, from responsible parties.

No options offered. This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

Representatives Cushing and Cook were not present for the vote.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve budget transfer BT2004-935 INFORMATION TECHNOLOGY

To establish appropriations required for Public Safety software maintenance to include fingerprint verification system.

Decrease	\$118,000	from	39010352/01101/504000	Phone
Increase	\$118,000	to	39010351/01101/502229	OfficeEqMaint

Representatives Cushing and Cook were not present for the vote.

*Motion made Representative Cobos, seconded by Representative Cook and unanimously carried to approve budget transfer BT2004-1004 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$71,920 to fund design of the Health Administration Facility Phase II. Funding source is Department of Health and Human Services Health Resources and Services Administration grant.

Increase	\$71,920	to	41150015/PPW020305533/508016	Arch&Dsg
Increase	\$71,920	to	41150015/PPW020305533/406000	FedGrtProc

Representatives Cushing and Cook were not present for the vote.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of St. Francis Xavier Church to block off 519 S. Latta between Paisano and Findley on August 7, 2004 from 3:00 p.m. to 11:00 p.m. and August 8, 2004 from 3:00 p.m. to 11:00 p.m. for a bazaar block party. Approximately 30 persons will take part and 500 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." This request includes permission to use amplification (2,400 watts-speakers, 1 microphone and 2 amplifiers). PERMIT NO. 04-067 [Roberto M. Lerma]

Representatives Cushing and Cook were not present for the vote.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of Irvin High School to hold a homecoming parade on September 16, 2004 from 6:00 p.m. to 7:00 p.m. Route: Start at Irvin High School on Sanders to Roanoke, turn right on Roanoke to Joe Herrera, turn right on Joe Herrera to Raymond Telles, turn right on Raymond Telles to Wren, turn left on Wren to Shoppers, turn right on Shoppers to Sanders and finish at the football stadium. Approximately 200 persons, 20 vehicles will take part and 500 spectators are anticipated. PERMIT NO. 04-068 [Allen Wright]

Representatives Cushing and Cook were not present for the vote.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of Ministerio Palabra de Fe to use amplification (one power horn speaker) at the sidewalk of Mills and Oregon on July 30, 2004 and August 2, 2004 from 8:00 a.m. to 6:00 p.m. Approximately 2-4 persons will take part and 5 + spectators are anticipated. PERMIT NO. 04-069 [Luis Baca]

Representatives Cushing and Cook were not present for the vote.

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the request of Ana Padilla to hold a protest on July 31, 2004 from 7:00 a.m. to 1:00 p.m. Route: Meeting at San Jacinto Plaza on Main St., proceed on Main St. to Kansas, turn left on Kansas. Protest will be held at the corner of Kansas and Franklin. Approximately 50 persons will take part and 50 spectators are anticipated. This request includes permission to use amplification (one speaker amplifier) PERMIT NO. 04-072 [Ana Padilla]

Representatives Cushing and Cook were not present for the vote.

NOTE: Route was revised.

Motion made by Representative Escobar, seconded by Representative Power and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance authorizing the Mayor to sign a Contract of Sale and any other necessary documents between the City of El Paso and Nicolas Rich, Jr., M.D. and Edna Rich, for the sale of a portion of Lots 1 through 7, and a closed alley, Block 229, Alexander Addition, El Paso, El Paso County.
- B. An Ordinance authorizing the Mayor to execute a Quitclaim (Tax Resale) Deed for .046 acre, more or less, out of Lots 31 and 32, Block 7, East El Paso Addition, Supplemental Map #1, an Addition to the City of El Paso, being more particularly described as Exhibit "B" in Volume 1642, Page 1276, Deed Records of El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON AUGUST 10, 2004 FOR ITEMS A – B

- C. An Ordinance changing the Zoning of Tract 26-A, Block 29, Ysleta Grant, El Paso, El Paso County, Texas, (108 Seneca Drive) from C-3 (Commercial) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Antonio Cobos; Representative: Jesus Jaime; 436 Bahia Kino, El Paso, TX 79915. ZON04-00075
- D. An Ordinance granting Special Permit No. ZON04-00079 to satisfy parking requirements for Parcel I described as a Portion of Section 17, Block 81, Township 2, Texas & Pacific Railroad Company Survey, El Paso County, Texas; by allowing off-site off-street parking on Parcel II, described as a Portion of Section 17, Block 81, Township 2, Texas & Pacific Railroad Company Survey, El Paso County, Texas (4707 Fred Wilson) pursuant to Section 20.46.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: HJH Hunt Overseas, LLC; Representative: Conde Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936.

PUBLIC HEARING WILL BE HELD ON AUGUST 17, 2004 FOR ITEMS C – D

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Representative Cobos stated, for the record, that he was not the "Applicant" listed in item C.

.....
Item: Discussion and action regarding the assignment of two taxi cab stands at 6th and Oregon and 6th and El Paso to Border Taxi Cab and Sun City Cab respectively, after their numerous applications and fees paid for these applications; and for Council to consider the BPI staff's practice of issuing special privilege licenses on a first-come, first-serve basis on these special privilege licenses.

Representative Lozano recommended that the City offer three-month contracts to the taxicab companies until issues involving the issuance of the special privilege permits could be rectified.

Representative Cobos explained that a lottery system had been implemented for the downtown sidewalk vendors and suggested a similar system for the taxicab spaces. He commented on the DCC's involvement in the issuance of the special privilege licenses and suggested pulling all special privilege licenses and issuing a moratorium in the meantime. He commented on the possibility of revising the Ordinance governing the issuance of the special privilege licenses for taxicab stands.

Mr. Raymond Bonilla, Building Permits & Inspections, gave a Powerpoint presentation (on file in the City Clerk's office) and explained that the Building Permits & Inspections ("BP&I") Department had requested that the DCC (Development Coordinating Committee) conduct a study of the special privilege permits for the taxicab stands due to threats of violence (a letter submitted with one taxicab company's special privilege application).

Representative Cook asked Mr. Bonilla if the letter had been handed over to the Police Department, if not, it should be (have been).

Mr. Bonilla requested the implementation of the lottery system and asked that the DCC be given authorization to conduct the taxicab special privilege issuance study. He explained that the applications had been file stamped as to the order of applications received by the BP&I Department.

Representative Escobar commented on statements made by Mr. Joe Olivar, owner of Border Cab, regarding preferential treatment for the taxicab special privilege permits for Checker/Yellow Cab and that Mr. Olivar had been bumped because of Representative Escobar's relation to the owners of Checker/Yellow Cab. He explained that Checker/Yellow cab is operated by his uncles David and Carlos Escobar.

Mr. Alan Shubert, Director of Building Permits and Inspections, explained that Border Cab had been awarded two taxicab stand special privilege licenses, approved by the Council; however, at a DCC meeting, Border Cab had amended their application for two additional special privilege licenses. He asked that the BP&I Department not award the remaining two special privilege licenses until a fair and equitable system had been implemented. He asked that the Department be given 90 days to investigate the implementation of a fair and equitable system and mentioned that it may be necessary to remove the special privilege licenses from Border Cab.

Representative Lozano noted that the DCC (Development Coordinating Committee) had held two meetings regarding the special privileges for taxicab stands and asked whether or not Checker/Yellow Cab was not issued special privilege licenses due to their absence from those meetings.

Mr. Shubert responded that applicants are invited to attend the DCC meetings for purposes of answering any questions; however, are not compelled to attend the meetings. He reiterated that BP&I had not issued additional special privilege licenses due to ongoing problems.

Mayor Joe Wardy asked Mr. Shubert to inform the taxicab company owners that the Council would not tolerate that type of behavior and that the system would be under review, with recommendations to be approved by the Council. He clarified that Representative Escobar was not the owner of Checker/Yellow Cab Company.

Mr. Shubert responded he would appreciate Council authorizing the Department to conduct a study, additionally, BP&I would not pull the licenses already issued; however, requested that the department be allowed not to accept any new applications and issue any new licenses for taxicab stands. He then clarified the differences in processing applications for public and private special privilege licenses.

Mr. Joe Olivar, Border Cab, discussed issues relevant to the process and procedure for issuance of special privilege licenses for taxicab stands and appeal process for same.

Ms. Patricia Adatao, Deputy CAO for Building and Planning Services, explained that encroachments on public rights-of-way required the DCC's review and added that the same process had been utilized for at least 20 years.

Representative Escobar asked Ms. Adatao and Mr. Shubert whether or not he had contacted her/him or any member of her/his staff regarding the issuance of special privilege licenses for taxicab stands.

Ms. Adatao and Mr. Shubert responded no.

Ms. Adatao added how the determination is made regarding who received the special privilege license required study; however, the special privilege license would still be required.

Representatives Cobos, Rojas, Escobar Cushing and Cook all requested that research be conducted to include input from all cab companies city wide within 90 days.

Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to direct staff to research and conduct a study with regard to taxicab stands within the downtown area, such study to be completed within 90 days. Within said 90 day period, no application shall be received or processed, no taxicab special privileges shall be issued for, anywhere within the city, within that 90 day period.

Representative Austin was not present for the vote.

NOTE: This item was considered together with the discussion and action on request from the Development Coordinating Committee for authorization to conduct a study of all taxicab stands on public right-of-way in the downtown area in order to determine the total number now existing, which companies retain licenses, whether the number and location allowed should be amended, and whether a lottery or other similar system should be implemented. This item is brought forth in response to specific concerns raised by applications SP-04008, SP-04014, SP-04015, and SP-04016, each requesting use of the same two taxicab stands.

No action was taken regarding the progress report on proposed changes to Electrical, HVAC/Plumbing and Building Board of Appeals.

Mr. Alan Shubert, Director of Building Permits and Inspections, explained that he prepared a draft Ordinance and discussed with the language with the Association of Builders, proposing a consolidation of the various appeals boards. He added that through discussions with the Association of Builders, the possibility of establishing an alternate panel, consisting of tradesman and contractors, and based on specific discipline might be called to provide information based upon the nature of the case. He stated that he had researched other municipalities and discovered that there existed no separation of the Electrical, HVAC/Plumbing, and Building Boards of Appeals. He explained that the draft Ordinance would be presented at a BZAC meeting, as a forum for discussion; however, added that the industry has been requesting a venue for appeals.

Representative Cushing suggested that the Legal Department review the ordinance language, introduce and hold the public hearing.

Item: Discussion and action on request from the Development Coordinating Committee for authorization to conduct a study of all taxicab stands on public right-of-way in the downtown area in order to determine the total number now existing, which companies retain licenses, whether the number and location allowed should be amended, and whether a lottery or other similar system should be implemented. This item is brought forth in response to specific concerns raised by applications SP-04008, SP-04014, SP-04015, and SP-04016, each requesting use of the same two taxicab stands.

See the discussion on page 22.

Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to direct staff to research and conduct a study with regard to taxicab stands within the downtown area, such study to be completed within 90 days. Within said 90 day period, no application shall be received or processed, no taxicab special privileges shall be issued for, anywhere within the city, within that 90 day period.

Representative Austin was not present for the vote.

NOTE: This item was considered together with the discussion and action regarding the assignment of two taxi cab stands at 6th and Oregon and 6th and El Paso to Border Taxi Cab and Sun City Cab respectively, after their numerous applications and fees paid for these applications; and for Council to consider the BPI staff's practice of issuing special privilege licenses on a first-come, first-serve basis on these special privilege licenses.

Item: Discussion and action regarding the Franchise Agreement between El Paso Electric Company and the City of El Paso, Ordinance No. 012539.

Mayor Joe Wardy explained that the agenda item was to discuss the option of the City purchasing the assets of the El Paso Electric Company. He stated that it would be difficult for the citizens of El Paso to fathom the issuance of \$2 billion in debt to purchase the Electric Company. He remarked that he and members of Council would discuss the franchise agreement and come to a win-win decision for El Paso and the Electric Company. He would organize a working group to begin discussions with the El Paso Electric Company.

Mr. Norman Gordon, outside counsel, explained that if the City decided to purchase the El Paso Electric Company the City must notify the Electric Company one date prior to the expiration of the franchise, August 1, 2005. He asked that the Council take action today.

Mayor Wardy asked that the Council allow the provision to lapse.

Ms. Lisa A. Elizondo, City Attorney, asked Mr. Gordon to read the specific section pertaining to the asset purchase option into the record to which Mr. Gordon read into the record the motion language.

Motion made by Representative Cook, seconded by Representative Austin and unanimously carried for the City not to exercise the option contained in Section 13 of the El Paso Electric Franchise Ordinance No. 012539.

Motion made by Representative Austin, seconded by Representative Lozano and unanimously carried to approve Conditional "B" building permits for Lomas del Sol Unit 1 Subdivision on the basis of economic hardship.

Mr. Bashar Abugalyon, Engineering Department, presented the item for the Council.

Mr. John C. Karlsruher, CSA Consulting Engineers, explained that the Conditional "B" building permit request was due to economic hardship on Colony Partners, LP.

*Motion made Representative Cobos, seconded by Representative Cook and unanimously carried to postpone two (2) weeks a Resolution that the City accepts the dedication of a Street Right-of-Way located within a portion of Tract 1A, Block 11, Upper Valley Surveys (the extension of Gomez Road to serve Valley Creek Park), City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A" from Frontera Vista L.P., a Texas Limited Partnership.

Representatives Cushing and Cook were not present for the vote.

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to authorize Municipal Services to submit a rezoning application and all related documents for City-owned property located at the Mesa Dam in order to permit a proposed golf driving range and learning facility; and that the Planning, Research & Development Department be authorized to accept and process such application.

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and explained that the applicant was requesting that he be allowed to lease the City owned property and that the property be zoned C-3. He explained that in exchange the applicant would maintain the property. He answered questions from and responded to comments made by the Council Members.

Representative Cobos stated the City would not spend monies developing the area and added that he had not received any opposition to the proposed zoning change request.

Representative Rojas asked what the Mesa Dam was used for and what zoning was appropriate for golf ranges.

Representative Austin clarified that the property would continue to be City owned. She asked that the Legal and Planning, Research and Development Departments review the City's options to rezoning the property in the event that the proposed golf driving range and learning facility operation ceased.

Mr. Gonzalo Cedillos, Municipal Services Department, explained that he had been asked to review the City's assets and make them active, such as properties located in basins and dams. He introduced, Mr. Marcos Ceballos, applicant, and requested that he investigate the possibility of using Thorn, Keystone and other dams

for soccer fields and/or other recreation type activities. He explained that the proposed driving range was acceptable to the Army Corps of Engineers as individuals would not be inside the dam(s). He enumerated the objections of the DCC (Development Coordinating Committee) as: noise, lighting pollution and the possibility of illegal intrusions/activities.

Mayor Joe Wardy commented on the cities of Phoenix and San Angelo maximizing their available land sources.

Representative Escobar made comments relative to a similar golf range on the east side of the City.

Representative Power asked Mr. Cedillos questions regarding the lease and the possibility of other individuals requesting the same consideration(s).

Ms. Terri Cullen-Garney, Deputy City Attorney, explained that there was no legal requirement that the City have bid openings, when leasing City property; however, it would be a policy decision of the Council, in the event more than one individual showed interest in the same property. She explained that the issue before the Council was the initiation of the zoning change request.

Representative Austin commented that the current zoning did not allow the golf driving range and suggested amending the zoning ordinance to include language the use of public and/or private recreational facilities on City owned properties.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to delete an Ordinance amending Ordinance Nos. 15073 and 15245, providing for Art in Municipal Places, to revise the basis of calculation of funding, to provide for alternative sources of funding in conformance with requirements for General Obligation Bond Elections and to provide for the creation of a general Public Arts Fund.

Representatives Cushing and Cook were not present for the vote.

.....
22A. *Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone five (5) weeks a public hearing to determine if the property located at 6127-6135 N. Mesa Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 2004. The owner of this property, Karl M. Friedman, 5647 A Cory Drive, El Paso, Texas 79932, has been notified of the violations at this property. Delinquent taxes in the amount of \$0.

Representatives Cushing and Cook were not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone four (4) weeks a Public hearing to determine if the property located at 8313 Hester Road, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated May 2004. The owner of this property, Adolfo I. Castillo, C/O J. Eduardo Cadena, 1017 Montana Avenue, El Paso, Texas 79902, has been notified of the violations at this property. Delinquent taxes in the amount of \$0.

Representatives Cushing and Cook were not present for the vote.

.....
Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to postpone one (1) week an Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 20, Lay-Off, Job Rights, Reinstatement, to amend the Lay-Off and Reinstatement Procedures.

Ms. Terry A. Bond, Director of Human Resources, read a revision to Section 2 (Job Rights), paragraph 3, of the Ordinance into the record.

Representative Cushing asked whether the Civil Service Commission had approved the inclusion of the revised language to which Ms. Bond responded yes.

Mr. Frank Delgado, Planning, Research and Development employee and President of the El Paso City Employees Association, agreed with the inclusion of the revised Ordinance language and expressed his concern regarding the possibility of an additional probationary period for employees who had been unfortunately laid off. He added that the purpose of an additional probationary period would allow the termination of that employee without cause.

Representative Austin asked that the matter be tabled while she asked questions of Ms. Lupe Cuellar, Deputy City Attorney, Ms. Bond and Mr. Ellis regarding Section 1C (Lay-offs), first sentence which read "within 30 calendar days prior...". She added that the language was not what the Civil Service Commission had intended. She would like to see the language read "at least 30 days", not less than 30 days.

Mr. Ellis commented on the Commission's attempt to address the "at least" concept.

Representative Austin moved to amend the proposed rule to state "at least" striking the word "within". Representative Cushing seconded.

Ms. Cuellar explained that due to the substantive change in the language the Council would require a super majority vote.

Representative Power asked what the feeling of the Department Heads was. It was his understanding that the Department Heads requested the additional probationary period.

Mr. Jim Martinez, Chief Administrative Officer, explained that the Department Heads were opposed to the imposed transfer employees.

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, explained that the Department Heads would have like to have had the additional probationary period. He stated that other modifications could be made at a later date.

The Deputy City Clerk called for further public comment. There was no further public comment.

Motion made by Representative Austin, seconded by Representative Cushing and carried that Section 1, paragraph C be changed to read as "At least 30 calendar days prior to the actual lay off date . . ."

AYES: Representatives Austin, Cushing, Cook, Escobar, Rojas, and Cobos

NAYS: None

ABSTAINS: Representatives Lozano and Power

Representative Austin moved to reconsider the amendment. There was no second.

Representative Cook explained that the super majority vote was required on the ordinance.

Ms. Cuellar explained that the City Attorney's Office would review the affect of the abstentions on the super majority vote. She read language from the Charter and explained that the vote was unanimous with the exception of the abstentions, on the amendment. Ms. Cuellar explained that there was a super majority vote, and the amendment vote passed.

Representative Cushing questioned the effect of the abstentions on the super majority vote to approve the amendment.

Ms. Cuellar asked if the Council would like to postpone the matter one week to allow the City Attorney's Office to research concerning the meaning of Abstention.

Representative Cook explained that the super majority vote was required for the Ordinance, not the amendment to the Ordinance.

Ms. Cuellar disagreed and stated that the Council's amendment was making a substantive change to the rule as presented by the Civil Service Commission.

Ms. Lisa A. Elizondo, City Attorney, noted that the amendment vote would require the super majority vote, and that passing the rest of the Ordinance language, as approved by the Civil Service, would not require a super majority vote.

Representative Cook moved to postpone one week. Representative Cobos seconded.

Representative Austin asked what the determination on the amendment was, did it pass or fail.

Mayor Wardy responded that the Legal Department would research what position the abstention votes encompassed.

.....
*Motion made Representative Cobos, seconded by Representative Cook and unanimously carried to delete an Ordinance amending Ordinance Number 012539 which granted a franchise to El Paso Electric Company, for the purpose of extending the City's option period under Section 13.

Representatives Cushing and Cook were not present for the vote.

.....
*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone two (2) weeks an Ordinance changing the zoning of a Portion of Tract 1, Section 44, Block 79, Township 2, T & PRRC Surveys, El Paso, El Paso County, Texas (Northwest of the intersection of Pebble Hills and Loop 375) from R-3 (Residential) to C-4 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00067. Applicant: River Oaks Properties / Representative: SLI Engineering, Inc., 6600 Westwind, El Paso, TX 79912

Representatives Cushing and Cook were not present for the vote.

.....
ADDITION TO THE AGENDA

*Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the following provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Economic Program Analyst I (1)

Representatives Cushing and Cook were not present for the vote.

.....
Motion made by Representative Cook, seconded by Representative Power and unanimously carried that the City Council retire into EXECUTIVE SESSION at 12:44 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 26A.** Discussion and Action regarding a portion of Lot 83, Block 12, Tierra del Este Unit 1, El Paso, El Paso County, Texas (551.071)

ADDN 2. Deliberation on Finalist Candidates for City Manager. (551.074 Personnel Matters)

Motion made by Representative Power, seconded by Representative Cook and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council at 12:58 p.m., during which time motions were made as follows:

Motion made by Representative Cobos, seconded by Representative Power and unanimously carried that the City Attorney's Office clarify the City's uses which can be erected within a portion of Lot 83, Block 12, Tierra del Este Unit 1, El Paso, El Paso County, Texas.

No action was taken on the following executive session item:

Deliberation on Finalist Candidates for City Manager. (551.074 Personnel Matters)

Item: Discussion and Action on Selection of Finalist Candidate(s) for City Manager.

Motion made by Representative Cushing, seconded by Representative Power and unanimously carried that each Representative nominate up to three candidates and that the top three finalists are listed with no reference to the number of votes received for purposes of ranking the finalists.

Representative Cushing moved that each member of Council designate who they feel are their four choices and that the City Clerk tally those votes, and of those candidates who receive at least four or more votes, be considered as our short list. Representative Cobos seconded. Representative Cushing continued the motion; and also that the number of votes not be used for to place these individuals in any type of ranking. Representative Cobos seconded again.

Mayor Joe Wardy explained that the original process was to select three individuals and asked that the Council make a determination whether they wish to select three or four finalists.

Representative Cushing withdrew his motion and changed the number of choices to three and would accept an amendment to his position. He added that Representative Cook stated he would like to have the number of names expanded, Council could then vote on the amendment and vote on the motion.

Representative Cook moved to change the procedure to select the top four candidates. Representative Cobos seconded.

Prior to the vote, Representative Austin expressed that rather than expanding the list to four, if the Council Members do not select the same names, then the best three names would win.

1st Motion:

Motion made by Representative Austin, seconded by Representative Cobos and carried to expand the selection list from three finalists to four finalists.

AYES: Representatives Cook, Escobar, and Cobos

NAYS: Representatives Austin, Cushing, Lozano, Power, and Rojas

The amendment failed.

Representative Cushing moved to have each Council Member mark up to three candidates, the City Clerk would tally that, and the top three would be our finalists, and I do not want any reference made to the number of votes for purposes of ranking.

Mr. David Crowder, reporter for the El Paso Times, wondered if the action Council would be taking was proper and requested that the number of votes for each Council Member be made available for public record.

Mayor Wardy explained that the tally sheets would not dictate any order of ranking.

Representative Cook stated he would put his name on his tally sheet, as well as, Representative Power.

Mayor Wardy expressed that it would be prudent for all Council Members to sign their tally sheets.

2nd Motion:

Motion made by Representative Cushing, seconded by Representative Power and unanimously carried that each representative selects up to three candidates, making the top three finalist list and no reference made on number of votes for purposes of ranking.

Mayor Wardy explained that the Council would be selecting finalists only, the number does not dictate a ranking and that the will of Council would be to conduct secondary interviews with the three finalists.

Representative Power reiterated that the exercise was that Council "may" conduct secondary interviews.

Mayor Wardy concurred with Representative Power's statement and added that the Council would need to vote on conducting those secondary interviews at the conclusion of this exercise.

Representative Cook interjected that a Council Member could move to select a City Manager, of which the Council would then vote on that motion.

Mr. Adrian Ocegueda, Executive Assistant to the Mayor, stated that, as per the Legal Department, the ballots must be read into the record.

Mayor Wardy asked that Ms. Elizondo conduct a thorough check of the tally sheets:

Ms. Diana Nuñez, Deputy City Clerk, conducted the tally of the sheets and read the top three finalists names into the record as Bernardo Garcia with 6 votes, James N. Holgerson with 5 votes, and Joyce Wilson with 7 votes (tally sheets on file in the City Clerk's Office).

Nominations per district were as follows and read into the record:

District 1:	Bernardo Garcia, William Studer, and Joyce Wilson
District 2:	Bernardo Garcia, James N. Holgerson, and Joyce Wilson
District 3:	Bernardo Garcia, James N. Holgerson, and Joyce Wilson
District 4:	James N. Holgerson, William Studer, and Joyce Wilson
District 5:	James N. Holgerson, and Joyce A. Wilson
District 6:	Bernardo Garcia, Oscar S. Rodriguez, and Joyce A. Wilson
District 7:	Bernardo Garcia, Gerald Mangrum, and Joyce Wilson
District 8:	Bernardo Garcia, James N. Holgerson, and Gerald Mangrum

Total number of votes per district were as follows and read into the record:

Bert M. Diamondstein	-	0 votes
Bernardo Garcia	-	6 votes
James N. Holgerson	-	5 votes
Robert S. LaSala	-	0 votes
Gerald Mangrum	-	2 votes
Oscar S. Rodriguez	-	1 vote
William F. Studer, Jr.	-	2 votes
Joyce A. Wilson	-	7 votes

Item: Discussion and action on Selection of City Manager.

1st Motion:

Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried to proceed with the second round of interviews with the top three finalists: Bernardo Garcia, James N. Holgersson, and Joyce A. Wilson.

Representative Power moved to approve Joyce Wilson as our new City Manager. Representative Rojas seconded.

Representative Austin expressed her concern with appointing a City Manager at this time.

Representative Rojas withdrew her second. The motion died for lack of a second.

Representative Lozano moved to nominate Bernardo Garcia as the City Manager. There was no second. Motion died for lack of a second.

Mayor Wardy asked that the Council determine, first of all, whether a second round of interviews should be conducted, in the event that failed, attempt to vote on the City Manager position. He stated that the vote would send a significant message to whomever was selected. He cautioned the Council to be careful what they were deciding.

Representative Cobos explained that there was an assumption that a second round of interviews would be conducted. He stated that the first round of interviews were over 1½ hours long and suggested that the second round of interviews be closer together, possibly one-on-one, to see the person behind the name. He stated there was no need to rush and that the Council should take their time.

Representative Cook concurred with Representative Cobos' suggestion regarding the Council Members meeting with the finalists individually and also suggested the three finalists, in the same room, whereas the Council can ask them questions, in one order and then in reverse.

Representative Power agreed to the Representative Cook's suggestion whereas the Council could meet with the finalists on a one-to-one basis'; however, cautioned the Council to be careful in the manner the interviews were conducted, to be fair to the candidates.

Representative Escobar agreed with conducting a second round of interviews to ensure that the process was done accurately, the first time.

Mayor Wardy reiterated that the Council should be cautious when voting, as the results of the vote would send a message to that individual influencing them in accepting the City Manager position.

Representative Cook moved to conduct a second round of interviews with the three finalists. Representative Cushing seconded.

Representative Cobos stated that the option for the second set of interviews had been established all along.

Representative Austin asked that the Council provide direction what the next interview stage would be. She mentioned that previously it was determined that the finalists would be brought into the City and possibly conducting a "meet and greet" with community groups. She suggested holding telephone interviews or perhaps placing personal telephone calls to the individual. She felt that the candidates did not require "recruiting" of the Council Members and that the Citizens Advisory Committee felt that the "meet and greet" functions were not necessary. She stated that, for the interest of time, something other than personal interviews was appropriate.

Mayor Wardy explained that the interviews should be conducted in a public and group setting and suggested 30-minute videoconference interviews, to include the Citizens Advisory Group members to avoid any accusations of influence or impropriety.

Representative Power asked what process the Council should follow next.

Representative Cobos asked that the meetings be conducted in one day with interviews conducted one right after the other, in the same time frame.

Representative Austin concurred with Representative Cobos' suggestion and to hold videoconference sessions, one right after the other, maximum of 45-minute sessions per candidate and recommended that the interviews be conducted in executive session.

Representative Cushing commented on the hiring of The Mercer Group and holding the second round of interviews via videoconferencing. He requested that Mr. Ocegueda converse with The Mercer Group to arrange the videoconferencing times and dates.

Mr. Ocegueda responded that The Mercer Group would be happy to coordinate the videoconferencing meetings; however, he requested that the Council Members amend the previous format of the second round interview schedules. Mr. Ocegueda requested that he be given direction by the Council specifically what day and time the videoconferencing interviews would take place.

Mayor Wardy clarified Mr. Ocegueda's request, a motion that the Council would be conducting the interviews by videoconference in one day.

Mayor Wardy asked that the Council Members determine the videoconferencing interviews be conducted with seven to 10 days.

Representative Austin moved to hold a second round of interviews by video teleconference, as soon as can be arranged, within 10 days, no more than 45 minutes per interview and to hold them one immediately after the other. Representative Cobos seconded.

Mayor Wardy asked that the Citizens Advisory Group hold their own set of interviews.

Representative Austin amended her motion to include and that the Citizens Committee be able to do the same thing as we do. Representative Cushing seconded.

Representative Cushing commented on the exorbitant cost of videoconferencing.

Mr. Ocegueda stated that the last videoconference session was over one and ½ hour in length, at a cost approximately \$300.00, cheaper than airfare and room and board.

2nd Motion:

Motion made by Representative Austin, seconded by Representative Cushing and unanimously carried to schedule to conduct second round interviews by video teleconference as soon as it can be arranged within ten days, no more than 45 minutes long per interview, and that the Community Advisory Panel for the City Manager Hiring Process do the same process that El Paso City Council did.

.....
Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to adjourn this meeting at 1:32 p.m.
.....

APPROVED AS TO CONTENT:

for Diana Nuñez
Richarda Duffy Momsen, City Clerk